



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

## FIRST SECTION

### DECISION

Application no. 51949/14  
Semyon ALLAHVERDYAN  
against Armenia

The European Court of Human Rights (First Section), sitting on 20 October 2020 as a Committee composed of:

Krzysztof Wojtyczek, *President*,

Linos-Alexandre Sicilianos,

Armen Harutyunyan, *judges*,

and Renata Degener, *Deputy Section Registrar*,

Having regard to the above application lodged on 15 July 2014,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Semyon Allahverdyan, is an Armenian national, who was born in 1966 and lives in Hrazdan. He was represented before the Court by Ms I. Petrosyan, a lawyer practising in Yerevan.

The Armenian Government (“the Government”) were represented by their Agent, Mr G. Kostanyan, and subsequently by Mr Y. Kirakosyan, Representative of the Republic of Armenia to the European Court of Human Rights.

The applicant complained under Article 2 of the Convention that the authorities failed to carry out an effective investigation into his son’s death which occurred during military service.

On 7 May and 24 August 2020 the Court received declarations duly signed by both parties, whereby the applicant agreed to a friendly settlement of the case against an undertaking by the Government to pay him 17,000 Euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses.

The parties' declarations read as follows:

**Declaration of the Government**

"I, Yeghische Kirakosyan, Representative of the Government of Armenia before the European Court of Human Rights, declare that the Government of Armenia bearing in mind the rulings of the European Court of Human Rights in similar cases in respect of Armenia (*Mirzoyan v. Armenia*, no. 57129/10, 23 May 2019) offer to pay *ex gratia* to Semyon Allahverdyan, with a view to securing a friendly settlement of the above-mentioned case pending before the European Court of Human Rights, EUR 17,000 (seventeen thousand euros) to cover any and all pecuniary and non-pecuniary damage as well as costs and expenses, plus any tax that may be chargeable to the applicant.

This sum will be converted into Armenian drams at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the decision taken by the Court to strike the case out of its list of cases. In the event of failure to pay this sum within the said three-month period, the Government undertake to pay simple interest on it, from expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payment will constitute the final resolution of the case."

**Declaration of the applicant**

"I, Inessa Petrosyan, as representative of the applicant note that the Government of Armenia bearing in mind the rulings of the European Court of Human Rights in similar cases in respect of Armenia (*Mirzoyan v. Armenia*, no. 57129/10, 23 May 2019) are prepared to pay *ex gratia* to Semyon Allahverdyan, with a view to securing a friendly settlement of the above-mentioned case pending before the European Court of Human Rights, EUR 17,000 (seventeen thousand euros) to the applicant to cover any and all pecuniary and non-pecuniary damage as well as costs and expenses, plus any tax that may be chargeable to the applicant.

This sum will be converted into Armenian drams at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the decision taken by the Court to strike the case out of its list of cases. From the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Having consulted the applicant, I would inform you that he accepts the proposal and waives any further claims against Armenia in respect of the facts giving rise to this application. He declares that this constitutes a final resolution of the case."

**THE LAW**

In the light of the above, the Court considers that the matter has been resolved within the meaning of Article 37 § 1 (b) of the Convention and that respect for human rights as defined in the Convention and its Protocols does not require it to continue the examination of the application under Article 37 § 1 *in fine*.

Accordingly, the case should be struck out of the list.

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For these reasons, the Court, unanimously,

*Decides* to strike the application out of its list of cases.

Done in English and notified in writing on 19 November 2020.

Renata Degener  
Deputy Registrar

Krzysztof Wojtyczek  
President